

HOUSE BILL 1422

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By: **Delegate Costa**

Introduced and read first time: February 23, 2010

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Kidney Dialysis Centers – Emergency Backup Generators**

3 FOR the purpose of requiring the Department of Health and Mental Hygiene to adopt
4 regulations that require a kidney dialysis center to have a certain emergency
5 backup generator on the premises; and generally relating to kidney dialysis
6 centers and emergency backup generators.

7 BY repealing and reenacting, with amendments,
8 Article – Health – General
9 Section 19–3B–03
10 Annotated Code of Maryland
11 (2009 Replacement Volume)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article – Health – General**

15 19–3B–03.

16 (a) After consultation with representatives of payors, health care
17 practitioners, and ambulatory care facilities, the Secretary shall by regulation
18 establish:

19 (1) Procedures to implement the provisions of this subtitle; and

20 (2) Standards to ensure quality of care and patient safety that shall
21 include:

22 (i) Procedures for credentialing and peer review;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) Qualifications of health care practitioners and support
2 personnel;

3 (iii) Procedures to be followed in the event of an emergency,
4 including a requirement that in the event of an emergency the patient be transported
5 to the nearest appropriate emergency care facility;

6 (iv) Procedures for quality control of any biomedical equipment;

7 (v) Procedures for postoperative recovery;

8 (vi) Procedures for discharge; [and]

9 (VII) A REQUIREMENT THAT KIDNEY DIALYSIS CENTERS
10 HAVE ON THE PREMISES AN EMERGENCY BACKUP GENERATOR THAT IS IN
11 WORKING CONDITION; AND

12 [(vii)] (VIII) Any other procedures that the Secretary considers
13 necessary for quality of care and patient safety.

14 (b) If appropriate certification by Medicare is available, obtaining the
15 certification shall be a condition of licensure for:

16 (1) An ambulatory surgical facility; and

17 (2) A kidney dialysis center.

18 (c) Each freestanding ambulatory care facility shall provide assurances
19 satisfactory to the Secretary that the freestanding ambulatory care facility does not
20 discriminate against patients, including discrimination based on ability to pay for
21 nonelective procedures.

22 (d) The Secretary may delegate to the Kidney Disease Commission the
23 Secretary's authority under § 19-3B-07 of this subtitle to inspect kidney dialysis
24 centers.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2010.